

**REMARKS**

Claims 15-19 are pending in this application. Claims 18 and 19 have been added without the addition of any new matter. Claim 15 has been amended.

The 35 USC § 112 rejection to Claim 15 has been noted, and while the Applicants strongly contend that this rejection is improper, the above-mentioned amendment to Claim 15, unrelated to § 112, makes this rejection moot.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being unpatentable over Seo et al. ("Seo") (U.S. Patent No. 6,295,255). Claims 16-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Seo in view of Ozawa et al. ("Ozawa") (U.S. Patent No. 6,418,094). Applicants respectfully traverse these rejections, and request allowance thereof in the continuation prosecution application for the following reasons.

**The Claims are Patentable Over the Cited References**

**Claim 15 is not anticipated by Seo**

Claim 15 stands rejected under § 102(b) in view of Seo. Applicants strongly contend that Seo fails to disclose the features recited in this claim as amended such as an objective lens driving apparatus including a drive mechanism having a magnet and a coil, the magnet being fixedly mounted on a lens holder and the coil being fixedly mounted on a supporting member that is made of a

magnetic material and is mounted on a stationary part of the apparatus.

In contrast to the recited features, Seo discloses an optical pickup actuator having the opposite arrangement of a stationary part including a permanent magnet 26 and an actuating (moveable) part including tracking and focusing coils 30, 32. (see FIG. 4; col. 3, lines 64-66; col. 4, lines 15-16, 32-38). Specifically, Seo states that "...the actuator includes an actuating part consisting of...a tracking coil 30, a focusing coil 32...the actuator further includes a stationary part consisting of permanent magnets 26, yokes 28, a frame 38...the permanent magnet 26 is attached to the yoke 28...the yoke 28 is secured to the frame 38..." (see FIG. 4; col. 3, lines 64-66; col. 4, lines 15-16, 32-38).

Seo expressly discloses an optical actuator arrangement where the permanent magnet 28 is attached to a stationary part and the coils 30, 32 are attached to an actuating (moveable) part which is strongly in contrast to the magnet being fixedly mounted on a lens holder that is moveable and the coil being fixedly mounted on a supporting member mounted on a stationary part as recited. There is a significant distinction between having the magnet mounted on a stationary part and the coils mounted on a moveable part as disclosed by Seo, and the claimed invention of the magnet being mounted on a moveable part and the coil mounted on a stationary part.

Seo fails to disclose the recited feature of the magnet being fixedly mounted on a lens holder and the coil being fixedly mounted on a supporting member that is made of a magnetic material and is mounted on a stationary part of the apparatus making the claimed invention patentably distinct and non-obvious from the cited references.

**Claim 16-17 are not made obvious by Seo and Ozawa**

Claims 16-17 stand rejected under § 103(a) in view of Seo and Ozawa. Applicants strongly contend that Seo and Ozawa, either alone or in combination, fail to disclose the features recited in these claims as amended such as an objective lens driving apparatus including a drive mechanism having a magnet and a coil, the magnet being fixedly mounted on a lens holder and the coil being fixedly mounted on a supporting member that is made of a magnetic material and is mounted on a stationary part of the apparatus.

As contended above, Seo does not disclose this feature as in contrast Seo describes an opposite arrangement of the magnet being mounted on a stationary part and the coil mounted on a moveable part. Similarly, Ozawa discloses an optical pickup device including an opposite arrangement of a magnet mounted on a stationary part and a coil mounted on a moveable part in contrast to the recited features.

Seo and Ozawa, either alone or in combination, fail to

disclose an objective lens driving apparatus including a drive mechanism having a magnet and a coil, the magnet being fixedly mounted on a lens holder and the coil being fixedly mounted on a supporting member that is made of a magnetic material and is mounted on a stationary part of the apparatus as recited making the claimed invention patentably distinct and non-obvious from the cited references.

### **Conclusion**

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

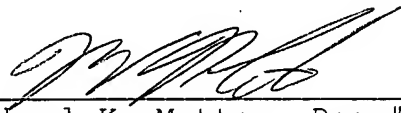
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Clint A. Gerdine (Reg. 41,035) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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